

First Reading: May 29, 2009  
Proposed Second Reading: June 26, 2009  
PASSED: June 26, 2009

**ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF THE TOWN OF FENWICK ISLAND, DELAWARE, TO AMEND THE CERTIFICATE FOR CANDIDATES FOR NOMINATION, § 13-5.**

**WHEREAS**, it has come to the attention of the Town Council that there are contradictions within Chapter 13 relating to registration and the certificates required of nominees; and

**WHEREAS**, the Town Council has determined that it is in the best interests of the citizens of the Town to clarify and correct the certificates for candidates to conform with the Charter and registration requirements of the Town Code.

**NOW THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Fenwick Island, in session met, a quorum pertaining at all times thereto, that the Code of the Town of Fenwick Island be and is hereby amended by **striking Sections 13-5. A. (1 and (2) in their entirety and substituting** in lieu thereof the following:

**13-5. Candidates. [Note: the italicized wording will remain unchanged; Strikeouts are shown by a line through and additions by underlining].**

A. *Certificate to be filed by nominees for Town Council.*

*Every person who places his/her name in nomination or whose name is placed in nomination for the office of Town Councilman shall execute and submit to the Board of Elections or its designee at the time of such filing, but in no event later than three (3) days after the deadline date for filing such nominations, the following certificate of eligibility to serve on the Town Council of Fenwick Island, Delaware:*

**NOMINEE'S CERTIFICATE OF ELIGIBILITY TO SERVE  
ON THE TOWN COUNCIL OF FENWICK ISLAND, DELAWARE**

*Fill out statement (1) or (2) below, whichever is applicable to you.*

(1) As a resident:

I \_\_\_\_\_, (Name) of \_\_\_\_\_, Fenwick Island, DE 19944, a nominee for election to the Town Council of Fenwick Island, hereby state that I am a natural person, a citizen of the United States, a resident of the Town of Fenwick Island, Delaware, since \_\_\_\_\_ [date], and am

or will be twenty-one (21) years of age on or before the date of the election, I have no other voting residency for municipal elections and that I have been qualified to vote in the Town of Fenwick Island, Delaware, for at least one year prior to the election for which I am nominated. I am registered to vote pursuant to Town regulations.

~~have completed a Fenwick Island registration form by the last Friday before the last Saturday of January of this year declaring that I was then a resident of the Town of Fenwick Island, Delaware.~~

Signed and certified on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature of Nominee)

State of \_\_\_\_\_  
County of \_\_\_\_\_

Be it remembered, that on the day and year aforesaid \_\_\_\_\_ (Name), personally appeared before me, a Notary Public of the aforesaid State and County, and acknowledged that the above signature was his/her act and deed.

\_\_\_\_\_  
(Notary Public) (Seal)

My Commission Expires: \_\_\_\_\_

(2) As a non-resident property owner:

I \_\_\_\_\_, [Name] of \_\_\_\_\_, [Address], a nominee for election to the Town Council of Fenwick Island, hereby state that that I am a natural person, a citizen of the United States, a property owner in the Town of Fenwick Island, Delaware, and am or will be twenty-one (21) years of age on or before the date of the election, and that I have been qualified to vote in the Town of Fenwick Island, Delaware, for at least one year prior to the election for which I am nominated. I am base my claim of being a freeholder of property located in the Town of Fenwick Island, Delaware, as shown on Map No. \_\_\_\_\_, Parcel No. \_\_\_\_\_, and Lot No(s). \_\_\_\_\_, on in the latest Sussex County Assessment Office in my name. I am registered to vote pursuant to Town regulations.

Signed and certified on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature of Nominee)

State of \_\_\_\_\_  
County of \_\_\_\_\_

Be it remembered, that on the \_\_\_\_\_ day and year aforesaid  
\_\_\_\_\_ (Name), personally appeared  
before me, a Notary Public of the aforesaid State and County, and  
acknowledged that the above signature was his/her act and deed.

\_\_\_\_\_  
(Notary Public) (Seal)

My Commission Expires: \_\_\_\_\_

I, \_\_\_\_\_, Secretary of the Town Council of the Town of  
Fenwick Island, do hereby certify that the foregoing is a true and correct copy of an  
ordinance adopted by the Mayor and Town Council at its meeting on the \_\_\_\_\_ day of  
\_\_\_\_\_, A.D. 2009, at which a quorum was present and voting throughout  
and that the same is still in full force and effect.

\_\_\_\_\_  
Secretary

*Posted: June 29, 2009*